

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

INRE:

ROBERT J. BECKLEY,
Debtor,

ROBERT J. BECKLEY,
Movant,

Vs.

RHONDA WINNECOUR,
Trustee.

Bankruptcy No. 17-70086
Chapter 13

Hearing Date and Time:
November 17, 2017 at 10:00 a.m.

ORDER CONFIRMING SALE OF PROPERTY FREE AND DIVESTED OF LIENS

This 17th day of November, 2017, on consideration of the Debtor's Motion to Sell Estate Property to Robert C. Beckley for \$6,000.00, after hearing held in Courtroom B, Penn Traffic Building, Johnstown, the Court finds:

(1) That service of the Notice of Hearing and Order setting hearing on said Motion for private sale of estate property free and divested of liens of the above named Respondents, was effected on the following secured creditor whose liens are recited in said Motion for sale;

NAME OF LIEN HOLDER AND SECURITY DATE OF SERVICE

JSTC Employees Federal Credit Union
969 Eisenhower Blvd.
Johnstown, PA 15904

October 6, 2017

(2) That sufficient general notice of said hearing and sale, together with the confirmation hearing thereon, was given to the creditors and parties in interest by the Movant as shown by the certificate of service duly filed and that the named parties were duly served with the Complaint/Motion.

(3) That said sale hearing was duly advertised on the court's website pursuant to W.P.A. LBR 6004-1(c), Oct. 15, 2017 in the Tribune Democrat on 10-26-2017 and in the Cambria County Legal Journal on Oct. 12, 2017, as shown by the Proof of Publications duly filed. 10-26 and Nov. 2, 2017

(4) That at the sale hearing no higher offers were received and no objections to the sale were made which would result in cancellation of said sale.

Michael J. Myers

(5) That the price of Six-Thousand Dollars and 00/100 (\$6,000.00) offered by ~~Robert C. Beckley~~ is a full and fair price for the property in question.

(6) That the purchaser is acting in good faith with respect to the within sale in accordance with *In re Abbotts Dairies of Pennsylvania, Inc.*, 788 F.2d 143 (3d Cir. 1986).

IT IS ORDERED, ADJUDGED AND DECREED that the sale of the 2012 Can Am Commander XT 1000 is hereby confirmed to Robert C. Beckley, for Six-Thousand Dollars and 00/100 (\$6,000.00), free and divested of the above-recited liens and claims, and, that the Movant is authorized to make, execute and deliver to the Purchaser above-named the necessary title and/or other documents required to transfer title to the property purchased upon compliance with the terms of sale;

IT IS FURTHER ORDERED that the liens, claims and interests of all Respondents and they hereby are divested from the property being sold, if and to the extent they may be determined to be valid liens against the sold property, and transferred to the proceeds of sale, and that the within decreed sale shall be free, clear and divested of said liens, claims and interests;

FURTHER ORDERED that after due notice to the claimants, lien creditors, and interest holders, and no objection on their parts having been made or, if made, resolved/overruled, the incidental and related costs of sale and of the within bankruptcy proceeding, shall be paid in advance of any distribution to said lien creditors.

FURTHER ORDERED that pursuant to Debtor's Amended Chapter 13 Plan, the secured claim of the JSTC Employees Federal Credit Union shall be paid by the Chapter 13 Trustee as the disbursement agent which are subject to Claim No. 4 filed by JSTC Employees Federal Credit Union.

IT IS FURTHER ORDERED that the sale proceeds shall be paid to the Chapter 13 Trustee.

FURTHER ORDERED that the Movant shall serve a copy of the within Order on each Respondent (i.e., each party against whom relief is sought) and its attorney or record, if any, upon any attorney or party who answered the motion or appeared at the hearing, the attorney of the debtor, the purchaser, and the attorney for the purchaser, if any, and file a certificate of service.

FURTHER ORDERED that closing shall occur within thirty (30) days of this Order and the Movant shall file a report of sale within seven (7) days following closing.

Dated this 17th day of November, 2017.


JEFFERY A. DELLER
United States Bankruptcy Court

FILED
11/20/17 10:31 am
CLERK
U.S. BANKRUPTCY
COURT - WDPA

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
Western District of Pennsylvania

In re:
Robert J Beckley
Debtor

Case No. 17-70086-JAD
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-7

User: lfin
Form ID: pdf900

Page 1 of 1
Total Noticed: 1

Date Rcvd: Nov 20, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 22, 2017.

db +Robert J Beckley, 220 Maple Avenue, Windber, PA 15963-2626

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 22, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 20, 2017 at the address(es) listed below:

James Warmbrodt on behalf of Creditor Harley-Davidson Credit Corp bkgroup@kmlawgroup.com

Karina Velter on behalf of Creditor WELLS FARGO BANK, NA amps@manleydeas.com

Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov

Ronda J. Winnecour cmecf@chapter13trusteedpa.com

Terry L. Graffius on behalf of Debtor Robert J Beckley tgraffius@lhrklaw.com,
jberkebile@lhrklaw.com

William E. Craig on behalf of Creditor Americredit Financial Services, Inc. dba GM Financial
ecfmail@mortoncraig.com, mhazlett@mortoncraig.com;mortoncraigecf@gmail.com

TOTAL: 6